



1
2
3
4
Entered on Docket
October 03, 2011

A handwritten signature in black ink, appearing to read "R. Bie".

5
Hon. Linda B. Riegle
6
United States Bankruptcy Judge
7

8
LEWIS AND ROCA LLP
9

10 Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

11
Attorneys for USACM Liquidating Trust
12

13
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

14
In re:

Case No. BK-S-06-10725-LBR

15 USA COMMERCIAL MORTGAGE
16 COMPANY,

CHAPTER 11

17 Debtor.

18
19
**Order Sustaining First Omnibus Objection
20 Of USACM Trust To Proofs Of Claim
21 Based Entirely Upon Investment In The
22 Bundy Canyon (\$5 Million) Loan**

23
24
25
26
Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

27
28
29
30
31
32
33
34
35
36
37
38
39
40
The Court having considered the "First Omnibus Objection Of USACM Trust To
Proofs Of Claim Based Entirely Upon Investment in The Bundy Canyon (\$5 Million)
Loan, [DE 8752] (the "Objection"); the Court having heard the Objection on August 30,
2011; appropriate notice of the Objection having been given; no response to the Objection
having been filed; the Court noting on the record that the partial disallowance of the
Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the

borrower or from the collateral securing the Bundy Canyon (\$5 Million) Loan; and good cause appearing:

IT IS ORDERED that:

1. The Objection [DE 8752] is sustained; and
2. The Proofs of Claim listed on **Exhibit A** attached are 80% disallowed and 20% allowed.

PREPARED AND RESPECTFULLY SUBMITTED BY:

LEWIS AND ROCA LLP

By /s/ John Hinderaker (AZ #018024)
Robert M. Charles, Jr.
John Hinderaker (*pro hac vice*)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone: (702) 949-8320
Facsimile: (702) 949-8321

Attorneys for USACM Liquidating Trust

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

xxx No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:

LEWIS AND ROCA LLP

By: /s/ John Hinderaker, (AZ #018024)

Attorneys for USACM Liquidating Trust

#

USACM Trust
Bundy Canyon (\$5 Million) Loan
Single Loan Claims

Claim	Name	Address	Total Claim Amount Relating to the Bundy Canyon \$5,000,000 Loan	Amount Allowed	Amount Disallowed
10725-02426	Serino, Nancy C IRA	177 Rainbow Dr #7730 Livingston, TX 77399-0001	53,123.49	10,624.70	42,498.79

EXHIBIT A